

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE**

<b>IN RE:</b>	)	
	)	
<b>Cummings Manookian, PLLC</b>	)	<b>CASE NO. 319-07235-CW-7</b>
	)	<b>Chapter 7</b>
<b>Debtor(s)</b>	)	<b>Judge Walker</b>

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**RESPONSE TO CHAPTER 7 TRUSTEE’S OBJECTION TO CLAIM  
NUMBERS 3 AND 4**

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COMES NOW, North Pursell and Ramos on behalf of Family Medical Associates, a/k/a Family Medical. P.C. and Toby Smith, M.D. and Middle TN Pulmonary Associates, and makes the following response to the Trustee’s objection to their claims number 3 and 4.

The debt underlying these claims has particular significance. It is not an ordinary commercial or consumer debt. Rather, it is a debt that arises from sanctions imposed by two Circuit Courts of the State of Tennessee against a now suspended attorney for misconduct during the state judicial process.

There is, therefore, a strong public policy consideration in the enforcement of these judgments from the courts of general jurisdiction for the State of Tennessee.

Claims 3 and 4 are also based upon “Charging Orders” entered pursuant to TCA 48-249-507 et seq. by the Honorable John Wootten, Judge of the Circuit Court of Wilson County and the Honorable Don Ash, sitting by special appointment to the Circuit Court of Davidson County, Tennessee.

While the underlying Orders imposing monetary sanctions are against Brian Manookian individually, the charging orders go against “...any interest of Brian Philip Manookian in any limited liability company, partnership or joint venture in which he may be engaged...”

Both Charging Orders from the State Courts state that the financial interests of Brian Philip Manookian in the corporate entities "...Cummings Manookian, PLC, Hagh Law, PLLC and Manookian, PLLC are hereby subjected to an encumbrance and lien imposed by the Charging Order ..."

By the terms of the Charging Orders, the judgments against Brian Manookian are payable to the Circuit Court Clerk of the respective counties.

The underlying monetary judgment in the Davidson County matter was sustained on appeal by the Tennessee Court of Appeals. No appeal to the Supreme Court was made. The judgments from Wilson County were not appealed and are now final.

No effort has been made by Brian Philip Manookian to comply with the Sanction Orders from the state courts.

According to the website of the Secretary of State for the State of Tennessee, Cummings Manookian PLC has been dissolved and thus no longer exists.

Respondent is advised that the Trustee in the instant case is holding substantial funds pending a decision on how those funds are to be allocated. The allocation of these funds is of vital importance to the Respondent in that whatever is determined to be payable to Brian Philip Manookian should go first to satisfy the obligations reflected in the Charging Orders and be payable to the Circuit Court Clerks of the respective counties in Tennessee.

It is a matter of fundamental fairness and due process that the Respondents be allowed notice and an opportunity to be heard when the allocation decisions are made in the instant case.

The enforcement of these disciplinary Sanction Orders is vital to uphold the integrity of the state judicial process. The enforcement has particular public policy justification including the preservation of the public confidence in the bar and the state judicial process.

Therefore, Respondents respectfully request the Court overrule the Objections of the Trustee to Claims 3 and 4 at least until such time as a distribution is imminent allowing the Respondent to continue to receive notice and an opportunity to be heard on matters that could affect the enforcement of these vital state court rulings.

The deadline for filing this Response is June 17, 2021. Since this Response has been timely filed, a hearing will be held June 25, 2021 at 11:00 a.m. by AT &T conference line number 1-888-363-4749; Access Code: 7250422#

Respectfully submitted,

/s/ Phillip North  
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Tennessee Pulmonary Associate, PLLC, George  
Robertson, M.D. and Family Medical Associates.*

#### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this Response was either mailed electronically or by U.S. Mail, postage prepaid, this 17<sup>th</sup> day of June, 2021, to the United States Trustee, to the Debtor, to the Debtor's attorney and to all creditors as listed on the matrix attached to the original of this pleading on file with the Clerk of the Court.

/s/ Phillip North  
Phillip North